Previous references.

Cs bn-13(1-10)B.

1913. 14

(Cs—)

File No. 289-13

Serial Nos. 1-3

Later references.

Cs 352-14(1-2)
Ms 33-15

Previous

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-3

Part B. for May 14.

SUBJECT.

Exercise of magisterial powers by Mr. Ananda Row Suri before re-investment with the Sanad

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1. To The Dm. Bp. D.O. No. 2019 of 9/3/14
2. From The Dm. Bp. ——— 259 of 13/3/14
   Forwards the statement called for.
3. To The D. M. Bp. 3209 of 12/5/14
   Invites attention to the decision of the Chf Ct in Crl revision Case no 87 of 1912

G. R. S. 58

Highness
17.10.14

G.R.S. 11] 1913-14

GENERAL AND REVENUE SECRETARIAT.

(Conf.)

NOTES.

File No. 289/1913 -14

FILE HEADING.

Exercise of Magisterial powers by Mr Ananda Rao Sisi before reinvestment with the same.

From

No. Dated Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

P.T.O.

NOTES—First Sheet.

GPB—35,000—15-6-12

2

J. nos 294-13

Secretariat
(Just)

1. The file relating to
affairs of
the Armenian
Persecutions

H.M.
6/3/14

2. Please get a list
of cases disposed of
by this Court during
the interval with results
noted - H.M.
6/3/14

For Chief Secretary B 1/1
6/3

with the compliments -

Rec'd 18/12

Ab 6-4-13 - 9 etc -

2 Subs sims the file

Kg. - 116
6/3/1914 (Dr Seal)

Dr Seal
for
7/3

Sidh
7/3

2 A.

3006

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

4 Subd with a draft d.o. to Mr Chandy.

Kg.-116 VKK
9/3/1914 — 5 Issue

SPM
9/3

Issued J 2619 dy 9-3-1914

From the Dist Magistrate, Bangalore Dist

No 759 dy. 19-3-14

Forwards the statement called for with the remark that the Dist. Mgte himself has to try these cases if a retrial of the same orders as there is no other magistrate in the Dist. with Appellate powers.

6 Subd with reference to para 3.

Kg.-116
30/3/14 VKK. Dy Secy)
First Member)

SPM
30/3
Orders

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—20,000—23-12-15

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

7 The question was raised in a case in the Ch. Court, and I wanted this infⁿ (Confidentially) not only with regard to appeal but to all cases. The Dy Cr & Sess. Judge not have treated the matter as official.

However I shall see what the Ch. Ct has decided & then give further directions.

31/3/14

9 In Cr. R. Case 87 of 1913-14, the Chief Court has decided that Mr. Sessi had no Magisterial Powers at all till he was given these Powers again. I have no doubt the decision is correct and in any case, that lays down the law for the present.

10 ~~He~~ All work done by him as Magistrate

N.B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

GPB—20,000—23-12-13

Serial No.

becomes void altogether & we have to see what action has to be taken.

II If there are any persons undergoing imprisonment, they should at once be released. Where the punishment has been wholly or substantially undergone, there need be no retrial & the matter may be dropped. If in any case, the D. M. thinks that fresh trials shd be held, he should make a report with sufficient details for orders.

III Where persons have been discharged or acquitted no further action is necessary, unless the case is such in which a further enquiry or an appeal from

GPB—65,000—17-6-12.

(R. S. 12]

General and Revenue Secretariat. | C. File No. 289 of 1913

Serial No:

acquittal could on merits have been considered necessary.

13 In other matters, the case may be left to be dealt with in the ordinary legal way by applications of parties to higher Courts for revision or in appeal. The

provns of S. 529 should be attended to as far as action may be necessary in pending matters.

14 Please send orders on these lines to the Dist Magte, and the matter should be treated as urgent & confidential both here & in the Dist Magte's Office.

15 It is to be regretted that neither the D.M. nor the Sub Dn Magte Leer these difficulties & ~~treated the matter~~ did not realise the gravity of the issues involved.

16 After issuing or-

NOTE.—Contn. sheet.

GPB—65,000—17-6-12.

(R. S. 12]

General and Revenue Secretariat.

CS File No. 289 of 1913

Serial No.	
	ders, submit the file to the Dewan for perusal & further directions if any. 10/4/14
	Dewan 10/4/14 Chief 10/4
17	Subd. with a draft as ordered. (GB) 10/4/14
18	Fair draft submd for approval & Sign orders SDL 11/4
	Dr Sen
19	Some space has been left in the draft for insertions about appeals decided by Mr Sirsi Branda Rao. In the case of confirmation by him of subsisting sentences, no release can take place as the original Court sentence is not affected by the want of power. Similarly, releases & reductions of sentences ordered by him in appeal seem to have no legal effect, the original sentence being unaffected by his void proceedings.
20	The release of prisoners referred in clause (a) of paragraph 4 of the draft ~~is not necessary~~ will, if deemed fit, be made specific by adding Sec 401 Cr. Pro code suitably.
21	If the District Magistrate should be two that he should not

C R. S. 12]

General and Revenue Secretariat.

C/- File No. 289 of 1913

Serial No.

have sent an official reply to a demi-official communication, the needful will be done.

22 In regard to procedure, I submit for the consideration of the First Member that "remission of judicial sentences" is a Scheduled case under the Central Rules of Business and I am not sure whether this case does not come under clause VI relating to that subject.

Diwan Bahadur 11/4/12

First Member)

23 I have obtained a statement* from the Central Jail showing that there are no prisoners there undergoing imprisonment, out of those sentenced by Mr Sessi during this interval. This simplifies matters considerably. I think that it would be best to take no further notice of the matter. We may leave any outstanding cases to be dealt with by the Courts in accordance with law on the application of the parties in-

* vide last page of this file

Serial No.

terested.

24 A d.o. letter may be sent drawing attention to the to the Dist Magte, stating that

Ch of Ishurdi

Govt regret that neither the D.M. nor the Subdl Magte saw these difficulties and realised the gravity of the issues involved; but that as it has been ascertained that none of the persons dealt with in the cases tried are ~~ascertained to be~~ in jail need be taken no further action, except such as may be ~~necessary~~ required in accordance with law on the applications of parties interested. He may also be informed that the matter may be treated as confidential & that he was wrong in having sent an "official" reply to a demi-

NOTE—Contn. sheet.

3006 9

G. R. S. 12]

General and Revenue Secretariat. | CS File No. 289 of 1913

Serial No.

Official enquiry.

8892
13.4.'14

Dewan 12/4/14

10/4 Draft 13/4 S/Sec 13/4

We agree with the First Member.

25.4.14 hb

Draft Draft 27/4

Draft d.o. to the District Magistrate & Sub.

Mg. 116

1/5/1914

27 Secy) S/Sec 1/5

A tidy draft as revised may be put up Draft 2/5

Read 4.30 pm 5/5/14

Paragraphs not numbered. 29 Tidy draft Sub.

~~Before me draft~~ Draft 7/5

Mg. 116

5/5/14 30 Secy)

Subd. Paragraphs had already been numbered

31 The draft may be approved.

Me 7/5

First Member)

Draft & Secy 7/5

Draft 11/5

Subd. The draft has been approved by the 1st member. May this issue?

32

BP. 12/5

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

3006

10

G. R. S. 12]

General and Revenue Secretariat.

CS File No. 289 of 1913-14

Serial No.	
3	To K. Chandy Esq Dist. Magistrate, Bangalore No J3209 dy 12.5.1914. Invite attention to the decision of the Chief Court in Cr. Revision Case No 870/1913 laying down that Mr Friend had no mg.l powers at all & he was given these powers again and makes certain observations on the advice of the Dist Supdt & the Sub-Divl Mgte as also on the form of the reply sent by the Dist Mgte.

B 9/6

NOTE—Contn. sheet.

GPB—60,000—7-11-13

J. R. S. 26]

9/3

Diary No. of letter replied to

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 9/3/13

Signed by [illegible]

CS File No. 289-13

Serial No. 1

No. J 2619 / ch

To

Dear Sir,

I am desired to request you to be so good as furnish Govt Showing the result in each case, with a list of cases) disposed of in appeal by Mr Ananda Rao Sirs during from the date he took charge of the Cheepet Sub-div. to the date he was re-empowered to hear appeals by Govt notfn. no J 1457-/CS 64-13-6 of the 10th Nov 1913.

Yours Sincerely

[illegible]

To K. Chanoy Esq BA

District Magistrate of Bangalore

Rg-116 9/3/1913

SUBJECT.

[illegible]

[illegible] 9/3

III/213 Statistics 213 2

From 191

The Deputy Commissioner
Sl 2 Tinnevelly District

To The Secretary to Govt
Revenue Dept.

Dated 19-3-14

Despatched

Received

General No. 759
No.

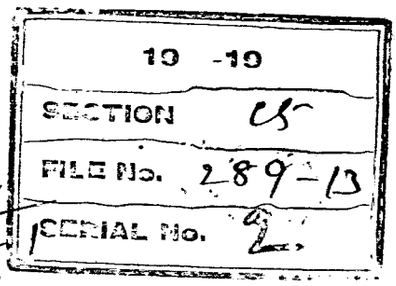
Enclosure No. 1

Forwards a statement
showing the number & results
of criminal appeals disposed
by Mr. Anandarao Sivan T.

—

F.3006

No.....



No. 259/C5

From

Office of the Deputy Commissioner,
Bangalore District.
Dated Bangalore, 18th March 1914.

K.Chandy Esq.,B.A.,
Deputy Commissioner,
Bangalore District.

To

K.R.Srinivasa Iyengar Esq.,M.A.,
Secretary to the Government of H.H.
the Maharaja of Mysore, Genl.and Rev.Depts.

Sir,

As called for in your D.O.letter No. F. 2619/C5, of the 9th March 1914, I have the honor to submit herewith a Statement showing the number and result of criminal appeals disposed of by Mr. Ananda Rao Sirsi, from the date (10th July 1913) he took charge of the Closepet Sub division to the date he was empowered to hear such appeals, by Government Notification

No. J. 1451/Cts 64-13-10 dated 10th November 1913.

2. It will be seen therefrom that out of twenty-two appeals disposed of by him during the interim in eleven cases appeals were allowed, in ten cases appeals were dismissed and in one case sentence was reduced.

3. In the event of these cases being ordered to be retried, there is at present no magistrate in this District other than the District magistrate who has appellate powers.

I have the honor to be
Sir,
Your most obedient Servant.

K Chandy

Deputy Commissioner,
Bangalore District.

4	13 of 12-13	Hossia	do			Sentence set aside
5	14 of 12-13	1 Annamalai 2 Eariah	Second class Magistrate Magadi	3-1-13	18-8-13	do
6.	15 of 12-13	1 Rangiah 2 Puttarangia 3 Guiappa	Second class Magistrate Magadi	30-1-13	22-7-13	do
7.	16 of 12-13	Gidda alias Hussain	Second class Magistrate Channapatna	11-12-12	26-9-13	do
8	17 of 12-13	Kamba	do	11-12-12	19-8-13	do
9	18 of 12-13	do	do	11-12-12	30-9-13	Conviction and Sentence Set aside
10	19 of 12-13	Nanja	do	22-1-13	30-9-13	Appeal is dismissed

Statement of criminal appeals disposed of by Mr Ananda Rau Sesi Sub Division Magistrate of Closepet from 10-7-1913 to 10-11-1913

Serial No.	Appeal number	Name of appellant	From the decision to what court	Date of presentation of petition of appeal	Date of delivery of judgment	Substance of final order	Remarks
1	2	3	4	5	6	7	8
1	8 of 12-13	1. Dasa 2. Thimmaroya	Second class Magistrate Magadi	23-12-12	30-8-13	Conviction and Sentence reversed	
2	11 of 12-13	1. Lakkappa 2 Thimma 3 Mahomed	Third class Magistrate Closepet	11-1-13	22-8-13	Appeal is dismissed	
3	12 of 12-13	1. Kempa 2 Venkatagiri 3 Venkataramana	do	19-2-13	22-7-13	Appeal is dismissed	

16	25 of 12-13	1 Anniah 2 VenKataramaniah 3 Rangia 4 Krishna 5 Ramiah 6 Seeniah 7 Narasimmah 8 Ramanna	Second class Magistrate Chennapatna	19-12-12	27-9-13	Appeal is dismissed
17	26 of 12-13	1 Ramiah 2 Anniah	do	24-7-13	27-8-13	do
18	1 of 13-14	1 Bhadra 2 Basana	do	24-7-13	27-8-13	do
19	2 of 13-14	Veerabhadriah	Third class Magistrate Closepet	7-8-13	26-9-13	Conviction and Sentence Set-aside
20	3 of 13-14	Dodda Appaji	do	14-8-13	29-10-13	Conviction and Sentence Set-aside
21	4 of 13-14	1 Bhimegowda 2 Thibbi 3 Kalima 4 Ba	Third class Magistrate Kankanhalli	22-8-13	31-10-13	Conviction and Sentence Set-aside

11	20 of 12-13	Chowde gowda	Second class Magistrate, Channapatna	5-4-13	30-8-13	Appeal is dismissed
12	21 of 12-13	1 Muthu Shetty 2. Kadlekai shettay 3. Thimmarayji 4 Venkataramana 5. Subbiah 6. Venkatagiri	——do——	6-1-13	27-9-13	——do——
13	22 of 12-13	1 Anniah 2. Venkataramaniah 3. Ranga 4. Krishna 5 Ramiah 6. Seeniah 7 Narasimiah 8 Ramanna	——do——	19-12-12	27-9-13	Appeal is dismissed
14	23 of 12-13	1 Muthu Shetty 2. Kadlekai shetty 3. Thimmarayji 4 Venkataramana 5. Subbiah 6 Venkatagiri	——do——	6-1-13	27-9-13	——do——
15	24 of 12-13	1 Sulemans Khan 2. Ibrahim Beg 3. Chabu Sab	——do——	24-2-13	31-7-13	Conviction and Sentence Set-aside

		5 Devanuma						
		6 Dala						
22	6 of 13-14	Patel Nanjundiah	Second class Magistrate Magadi		5-10-13	31-10-13	The sentence of fine is reduced from Rs 25/- to Rs 5/-	

Accepted

District Magistrate

Bangalore District

Statement of particulars of Prisoners Convicted by Rao Sahib Ananda Rao Sirsi - Sub-Divl Magte. Closed between 10th July & 10th November 1913.

Regd Number	Name	Crime	Term & date of Sentence	Calendar case.	Remarks.
		I.P.C.			
7773	Muniya	Sec: 392	6 months Rig. 8-8-1913	C.C. No: 38 of 1913-14	Has served term
7782	Abdul Karim	" 324	8 months Rig: & 30 Rs fine or 2 months addl Rig: imprt - Also ordered to furnish security for good behaviour for 2 years - 11-8-13	" 120 of 1912-13	Proceeds to Travancore
7847	Thimmala	" 379	3 months Rig: 29-8-1913	" 47/1 of 1913-14	The Prisoner is a
7977	Sardarkhan	" 457-380	3 months Rig & 12 Stripes 10-10-13	" 62/5.7 of 1913-14	The Prisoners have
7978	Kada alias Chavda	" 324/307	4 months imprt of which 3 months shall be Rig: and 1 month simple - 11-10-13	" 44 of 1913-14	Has been released
8066	Linigchari	" 380 ?	3 months Rig & 10 Rs fine or 1 month add Rig 10/11/13	" 73 of 1913-14	And the Warrants have been returned

Dated Bangalore
12th April 1914

R. Rodger
Superintendent
Bangalore Central Jail

G. R. S. 26]

12/5

Confidential

Typ draft

File No. 289-B

Serial No. 3

Diary No. of letter replied to

No. J. 3209

General and Revenue Secretariat

( )

, the 191 .

Date of issue 12-5-14.

Signed by

~~To~~

Dear Sir,

With refee to correspondence ending with your official letter no. 759 dy the 18th March 1914 in the matter of the magesterial powers of Mr Ananda Rao Sirsi, I am desired to invite your attention to the decision of the Chief Court in Cr. Revision Case no. 87 of 1913-14 laying down that Mr Ananda Rao Sirsi has no magesterial powers at all & he was given these powers again and to state that Govt regret that

P.T.O. over.

SUBJECT.

8

Neither the Dist. Magistrate nor the Sub Divisional Magistrate foresaw the vital defect and realised the gravity of the issues involved.

2. As it has however been ascertained that none of the persons dealt with in the cases tried by Mr Ananda Rao Sisi are in jail, no further action need be taken except such as may be required in accordance with law on the application of parties interested.

3. I am to add that this matter may be treated as Confidential and that Govt consider that you are wrong in having sent an official reply to a demi-official enquiry.

Yours Sincerely

Secy
7/5

To

K. Chandy Esq BA

Dist. Magistrate, Bangalore.

List of enclosures.

Copied by

Examined by KB 7/5

GPB—25,000—8-8-11.